

Panaji, 16th April, 2020 (Chaitra 27, 1942)

SERIES II No. 3

# OFFICIAL GAZETTE

## GOVERNMENT OF GOA



PUBLISHED BY AUTHORITY

### GOVERNMENT OF GOA

Department of Labour

#### Order

No. 28/35/2019-LAB/224

Whereas, the Government of Goa is of the opinion that an industrial dispute exists between the management of M/s. Sanofi India Limited, Plot No L-121, Phase-III, Verna Industrial Estate, Verna, Goa, and its workmen, represented by the Bhartiya Kamgar Sena, in respect of the matter specified in the Schedule hereto (hereinafter referred to as the "said dispute");

And whereas, the Government of Goa considers it expedient to refer the said dispute for adjudication.

Now, therefore, in exercise of the powers conferred by Clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947) (hereinafter referred to as the "said Act"), the Government of Goa hereby refers the said dispute for adjudication to the Industrial Tribunal of Goa at Panaji-Goa, constituted under Section 7A of the said Act.

#### SCHEDULE

"(1) Whether the action of the management of M/s. Sanofi India Limited, Plot No. L-121, Phase-III, Verna Industrial Estate, Verna, Goa, in not conceding to the following demands raised by the Bhartiya Kamgar Sena, is legal and justified?

#### CHARTER OF DEMANDS

**Demand No. 1 Applicability:** It is demanded by the Union that the Revision as per the Charter of Demands shall be applicable to all permanent workmen who are members of the said union and it shall also be applicable to those probationers who would be subsequently absorbed as permanent employees and those employees who become the members of the Union hereafter.

**Demand No. 2 Flat Rise/Fitment:** It is demanded by the Union that each worker be given a flat rise of Rs. 5000/- in the basic salary as on 1st July, 2017. After adding the above flat rise the revised basic salary so arrived at will be then fitted in the Revised Pay Scale in the respective Grades at appropriate step.

**Demand No. 3 Scale of Pay:** It is demanded by the Union that the original operators were classified into two grades in the settlement dated 08-07-2014. In the last settlement dated 06-02-2018 the Management Associates, who were working as operators along with the original operators and who had become the members of the said Union during the pendency of adjudication or the Charter of Demands, were classified in Grade-III which is below the Grade of original operators and were given the same scale of pay as that of operators. The union also demands that management associates who have joined the union in the year 2017 onwards be also placed in Grade-III however; the scale of pay given to the said operators in all three grades is one scale of pay. The workers' demand that based on seniority the scale of pay in all the three grades be given separately as under:-

#### Grades and Scale of Pay

- (i) Grade I-Operators-9000-700-12500-800-16500-900-21,000-1000-6000-1100-31,500.
- (ii) Grade II-Operators-8000-650-11250-750, 15000-850-19250-950-24000-1050-29250.
- (iii) Grade III-Operators/Management Associates-7000-600-10000-700-13500-800-17500-850-21750-950-26500.

#### Demand No. 4:-

- (i) **Dearness Allowance:-** It is demanded by the Union that with effect from 01st July, 2017 each workman should be paid fixed Dearness Allowance at Rs. 15% of the revised basic.
- (ii) **Variable Dearness Allowance:-** It is demanded by the Union that with effect from 1st July, 2017 each workman should be paid

Variable Dearness Allowance at Rs. 5/- per point rise over and above base 1270 points (AAICPI-1982=100). The Variable Dearness Allowance should be revised once every quarter.

**Demand No. 5:- Allowances:**

- (i) **House Rent Allowance (HRA):-** It is demanded by the Union that all the workmen should be paid additional House Rent Allowance of Rs. 2000/- per month over and above the existing HRA. The HRA be revised every year at 10% of the basic.
- (ii) **Leave Travel Allowance:-** It is demanded by the Union that each workman should be entitled to Leave Travel Allowance @ one gross salary once in a year.
- (iii) **Lunch Allowance:-** It is demanded by the Union that each workman should be paid Rs. 500/- per month over and above the existing amount and also canteen subsidy should be merged with Lunch Allowance.
- (iv) **Education Allowance:-** It is demanded by the Union that all the workman should be paid Education Allowance of Rs. 1000/- per month over and above the existing Education Allowance.
- (v) **Conveyance Allowance:-** It is demanded by the Union that each workman should be paid Conveyance Allowance of Rs. 500/- per month over and above the existing Conveyance Allowance.
- (vi) **Medical Assistance Allowance:-** It is demanded by the Union that those workmen who will go out of the purview of ESI Scheme should be given Rs. 5,000/- per month as Medical Assistance Allowance.
- (vii) **Shift Allowance:-** It is demanded by the Union that each workman should be paid additional Rs. 50/- for 2nd Shift and Rs. 100/- for 3rd Shift respectively.
- (viii) **Special Allowance:-** It is demanded by the Union that all the operators should be provided with Special Allowance with all revisions as is given to the Management Associates who are working as operators along with the regular operators.
- (ix) **Maintenance Allowance:-** It is demanded by the Union that the Maintenance Allowance of Rs. 500/- p.m. should be given to the technicians who are working in Engineering Department.

(x) **Monsoon Allowance:-** It is demanded by the Union that an amount of Rs. 1000/- per annum should be given as Monsoon Allowance to each workman.

(xi) **Overtime:-** It is demanded by the Union that the Overtime should be paid on basic DA, VDA and HRA including tea break and lunch for extended hours and on working on Sunday and holidays.

**Demand No. 6:- Leave Facilities:-**

- (i) **Privilege Leave:-** It is demanded by the Union that all the workmen should be given following privilege leave every year.
  - (a) For first 240 days : 30 days privilege leave.
  - (b) After 240 days : for every 5 working days, one day privilege leave with a right to accumulate for three years and balance privilege leave should be allowed to be encashed.
- (ii) **Casual Leave:-** It is demanded by the Union that all the workmen should be given 15 days Casual Leave in a year with a full pay. Unavailed Casual Leave should be allowed to be encashed.
- (iii) **Sick Leave:-** It is demanded by the Union that all the workmen should be given 15 days Sick Leave in a year with full pay.
- (iv) **Special Leave:-** It is demanded by the Union that Special Leave should be granted for chronic illness which is recommended by doctor till the fitness of patient.

**Demand No. 7:- Loan:** It is demanded by the Union that each unionized worker should be given loan as under:-

- (i) Personal Loan of Rs. 3 lakhs at 50% subsidy per annum.
- (ii) Housing Loan:- All the workmen should be provided a Housing Loan as per requirement by the employee at 50% subsidy per annum.

**Demand No. 8:- Incentives:** It is demanded by the Union that all the workmen should be paid 1% of the profit per annum.

**Demand No. 9:- Punching Card:** It is demanded by the Union that provision of punching card should be made near the security gate.

**Demand No. 10:- Shift times:** It is demanded by the Union that in case of three shift workings,-

1st shift time should be from 08.00 to 16.00 hrs.

2nd shift time should be from 16.00 to 12.00 hrs.

3rd Shift time should be from 00.00 to 08.00 hrs.

Two time tea break in each shift should be given to each workman.

**Demand No. 11:- Transport:-** It is demand by the Union that transport should be provided in all the shifts free of cost. The buses which are transporting the workers from factory to the schedule drop point shall start within 10 minutes of the schedule shifts timings.

**Demand No. 12:- Bonus and ex-gratia:-** It is demanded by the Union that all the workmen should be given 20% bonus on basic DA, VDA and HRA and 20% ex-gratia of their total annual emoluments every year.

**Demand No. 13:- Service Reward:-** It is demanded by the Union that Company should give Service Reward to the workmen who have completed 5 years, 10 years, 15 years, 20 years. They should be given Rs. 5000/-, Rs. 10,000/-, Rs. 15,000/-, Rs. 20,000/- respectively.

**Demand No. 14:- Welfare:-**

**(i) Medical Scheme:-**

(a) It is demanded by the Union that all the workmen who are out of Employees State Insurance Scheme should be given unlimited amount for treatment for self, spouse and two dependent children upto the age of 25 years.

(b) Normal day-to-day Medical bills should be claimed after submission of bills amount.

(ii) All the temporary/Casual/Badli workers should be made permanent and absorbed in "Sanofi India Limited, Goa".

(iii) Period of Agreement will be for 3 years only (01-07-2017 to 30-06-2020).

**Demand No. 15:-**

(i) Company should give time for Union to take meeting in the premises every 3 months.

(ii) Company should allow short leave or late reporting to all the Union members in case of any emergency.

(iii) Seniority increment in basic salary to the seniors, who have completed 10 years, 15 years and above, should be given 2 increments, 3 increments respectively.

(iv) In case of job rotation in the same grade for any union workers, intimation letter should be given to the workers stating type of work and period duly signed by union leader, President and the rotated employee.

(v) Marriage gift of Rs. 5000/- as token of love should be given to each workman who is getting married.

(vi) Birthday/Marriage Anniversary gift as per company policy.

**Demand No. 16:- Insurance Policy:-** It is demanded by the Union that all the workmen would be covered under the group personal Accident insurance policy. The Accident coverage of each workman should be given of amount of Rs. 5,00,000/- (Rupees five lakhs only). The coverage should be on a 24 hours basis. The terms and conditions prevailing as per the policy shall be binding.

**Demand No. 17:- Lump sum payment:-** It is demanded by the Union that all the workman should be given one time lump sum amount of Rs. 10,000/- (Ten thousand only) as a signing incentive.

**Demand No. 18:- Festival advance:-** It is demanded by the Union that the permanent workmen should be paid festival advance of Rs. 24,000/- per year. The advance will be paid once a year, either for Ganesh Chaturthi, Diwali, Eid or Christmas as per request made by the workmen in writing. The advance should be deducted in 12 equal monthly instalments from the salary of the workman.

**Demand No. 19:- Retrospective effect:-** It is demanded by the Union that all the above demands should be given from retrospective date i.e. from 1st July, 2017.

**Demand No. 20:-** It is demanded by the Union that Rs. 10,000/- (Rupees ten thousand only) be granted to each of the workers with effect from 01-07-2017 by way of Interim Relief pending finalization of the Charter of Demands.

*Demand No. 21:-* It is demanded by the Union that in the night shift, the management should give 15 minutes rest after every hour of working with a reliever operator during the said period.

*Note:-* All the existing facilities should be continued as it is and no workmen should be adversely affected as a result of the above demands.

(2) If not, what relief the workers are entitled to?"

By order and in the name of the Governor of Goa.

*A. S. Mahatme*, Under Secretary (Labour).

Porvorim, 18th March, 2020.

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